



---

# Public Notice

---

**US ARMY CORPS  
OF ENGINEERS  
St. Louis District  
Gateway to Excellence**

**Reply To:  
U.S. Army Corps of Engineers  
Attn: CEMVS-OD-F  
1222 Spruce Street  
St. Louis, Missouri 63103-2833**

Public Notice No.

**P-2732**

Public Notice Date

**August 7, 2009**

Expiration Date

**August 28, 2009**

**Postmaster Please Post Conspicuously Until:**

---

File Number: 2009-468

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

**COMMENTS AND ADDITIONAL INFORMATION:** Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
Regulatory Branch (Kathrine Kelley)  
1222 Spruce Street  
St. Louis, Missouri 63103-2833

**APPLICANTS:** Mr. Allan Muncy, City of Macon, 106 West Bourke Street, P.O. Box 569,  
Macon, Missouri 63552.

**AGENT:** Mr. Dennis Stith, Shafer, Kline and Warren, Inc., 107 Butler Street, P.O. Box 366,  
Macon, Missouri 63552.

**LOCATION:** The project area is located in Township 57 North, Range 14 East, Section 15, in Macon County, Missouri. Phase III of the Storm Water Improvements to the unnamed tributary of the Middle Fork Salt River would begin at the intersection of Englewood Drive and Overbrook Drive, and follow the creek approximately 750 feet to Hillsdale Drive and continues approximately another 500 feet to the ending point.

**PROJECT DESCRIPTION:** The applicant seeks authorization to conduct bank stabilization activities by lining both sides of a 1,250 lineal foot section of this stream channel with gabion baskets as replacement for the existing channel linings. In the previously permitted Phase II of storm water improvements, the City of Macon performed bank stabilization along approximately 1,525 lineal feet of the channel which flows through a commercial district and residential area upstream of this location. Approximately 350 acres of storm water drains to this section of the channel proposed for improvements. The existing bank stabilization methods along this reach are deteriorated to the extent maintenance repairs and replacement is needed. The channel immediately upstream of the proposed project site is paved with concrete. The purpose of Phase III of the storm water improvement projects is to replace the bank stabilization along the channel beginning at the intersection of Englewood Drive and Overbrook Drive and will extend approximately 1,250 lineal feet along the stream channel. This section of channel is located mostly in the backyards of a residential neighborhood with utility lines and mown lawns. Various forms of stabilization have been used over time, including sections of poured concrete adjacent to the road crossings and rock riprap or other materials used along the various properties in an attempt to protect the homeowner's properties from erosion due to high velocity, high water events. To address these erosion issues, plans include the removal of the existing lining materials and shaping the channel to a consistent trapezoidal shape lined with the gabion baskets along this 1,250 foot

section of the channel. On-site mitigation in the residential area may be limited or not available. The applicant may therefore pursue mitigating impacts through an existing wetland mitigation bank or through the Missouri Conservation Heritage Foundation Stream Stewardship Trust Fund. Mitigation for the tributary impacts will be calculated using the Missouri Stream Mitigation Method.

**MAPS AND DRAWINGS:** See attached. In addition, the project plans may be viewed in color and in more detail by visiting the Public Notice section of our website at <http://www.mvs.usace.army.mil/permits/>.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Kathrine Kelley, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8813. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [Kathrine.Kelley@usace.army.mil](mailto:Kathrine.Kelley@usace.army.mil).

**AUTHORITY:** This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

**WATER QUALITY CERTIFICATION:** The project plans have been submitted to the Missouri Department of Natural Resources, Water Pollution Control Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Pollution Control Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

**SECTION 404 (b)(1) EVALUATION:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

**ENDANGERED SPECIES:** A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

**CULTURAL RESOURCES:** The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

**SOLICITATION OF COMMENTS:** The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal.

To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.



DANNY D. MCCLENDON  
Chief, Regulatory Branch

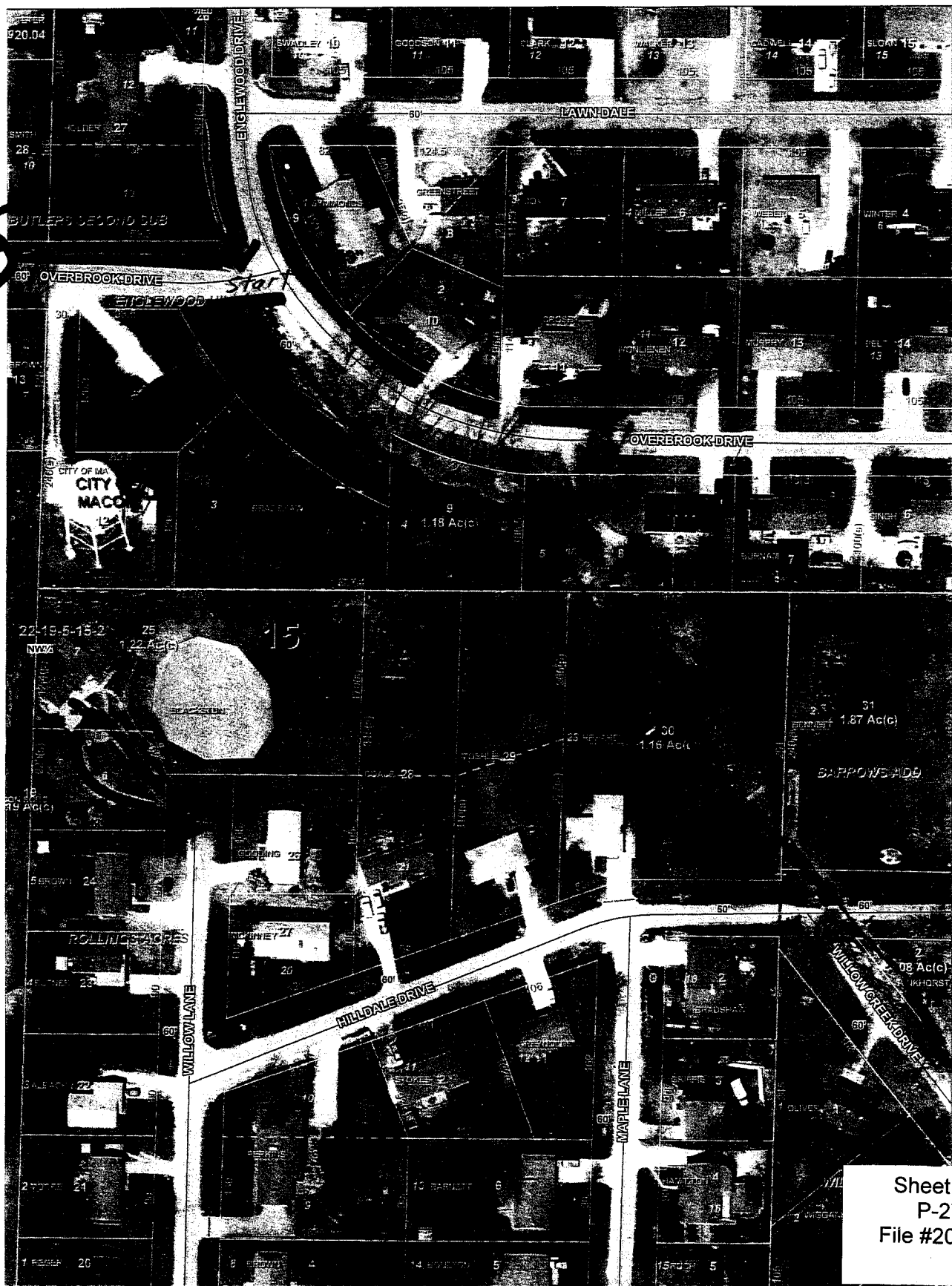
Attachments

**NOTICE TO POSTMASTERS:**

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.



**START**



Sheet 2 of 6  
P-2732  
File #2008-468

**OWNERSHIP MAP**  
**MACON COUNTY,**  
**MISSOURI**

GEOGRAPHIC INFORMATION SYSTEM BY

**MIDLAND**  
**GIS Solutions**

501 N. MARKET  
MARYVILLE, MO 64468  
VOICE: 660-562-0050  
FAX: 660-582-7173  
WWW.MIDLANDGIS.COM

**LEGEND**

STATE LINE	ORIGINAL LOT LINE
COUNTY LINE	WATER
CORPORATION LINE	BUILDING ON LEASED LAND
TOWNSHIP LINE	MAP INDEX
SECTION LINE	ORIGINAL LOT NUMBER
PROPERTY LINE	TRACT LINE
SUBDIVISION LINE	

SOIL GRADES

UNKNOWN	GRADE 5
GRADE 1	GRADE 6
GRADE 2	GRADE 7
GRADE 3	GRADE 8
GRADE 4	

THIS PROPERTY OWNERSHIP MAP IS FOR TAX PURPOSES ONLY. IT IS NOT INTENDED FOR CONVEYANCES. NOR IS IT A LEGAL SURVEY.

1 inch equals 79 feet

**GIS METADATA OVERVIEW**

GRID COORDINATE SYSTEM: MISSOURI STATE PLANE  
SPCS ZONE IDENTIFIER: MISSOURI, CENTRAL  
DATUM: NAD83  
UNITS: US SURVEY FEET  
PHOTOGRAPHY CURRENCY: 2005


END



Sheet 3 of 6  
P-2732  
File #2009-468

OWNERSHIP MAP  
**MACON COUNTY,  
MISSOURI**

GEOGRAPHIC INFORMATION SYSTEM BY

 **MIDLAND  
GIS Solutions**

501 N. MARKET  
MARYVILLE, MO 64468  
VOICE: 860-562-0050  
FAX: 860-562-7173  
WWW.MIDLANDGIS.COM

STATE LINE		COUNTY LINE		CORPORATION LINE		TOWNSHIP LINE		SECTION LINE		PROPERTY LINE		SUBDIVISION LINE	
725	ORIGINAL LOT LINE	10	WATER		BUILDING ON LEASED LAND		MAP INDEX		ORIGINAL LOT NUMBER	2			
	TRACT LINE												

**LEGEND**

SOIL GRADES

UNKNOWN	GRADE 5
GRADE 2	GRADE 6
GRADE 3	GRADE 7
GRADE 4	GRADE 8

THIS PROPERTY OWNERSHIP MAP IS FOR TAX PURPOSES ONLY. IT IS NOT INTENDED FOR CONVEYANCES. NOR IS IT A LEGAL SURVEY.

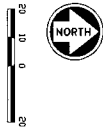
1 inch equals 79 feet

SUBDIVISION NAME: N. DETROIT  
AREA (FROM DEED): 10.5 AC.  
AREA (CALCULATED): 10.5 AC. (S)  
DIMENSION: 180'  
MAP BLOCK NUMBER: 105  
ORIGINAL BLOCK NUMBER: 105

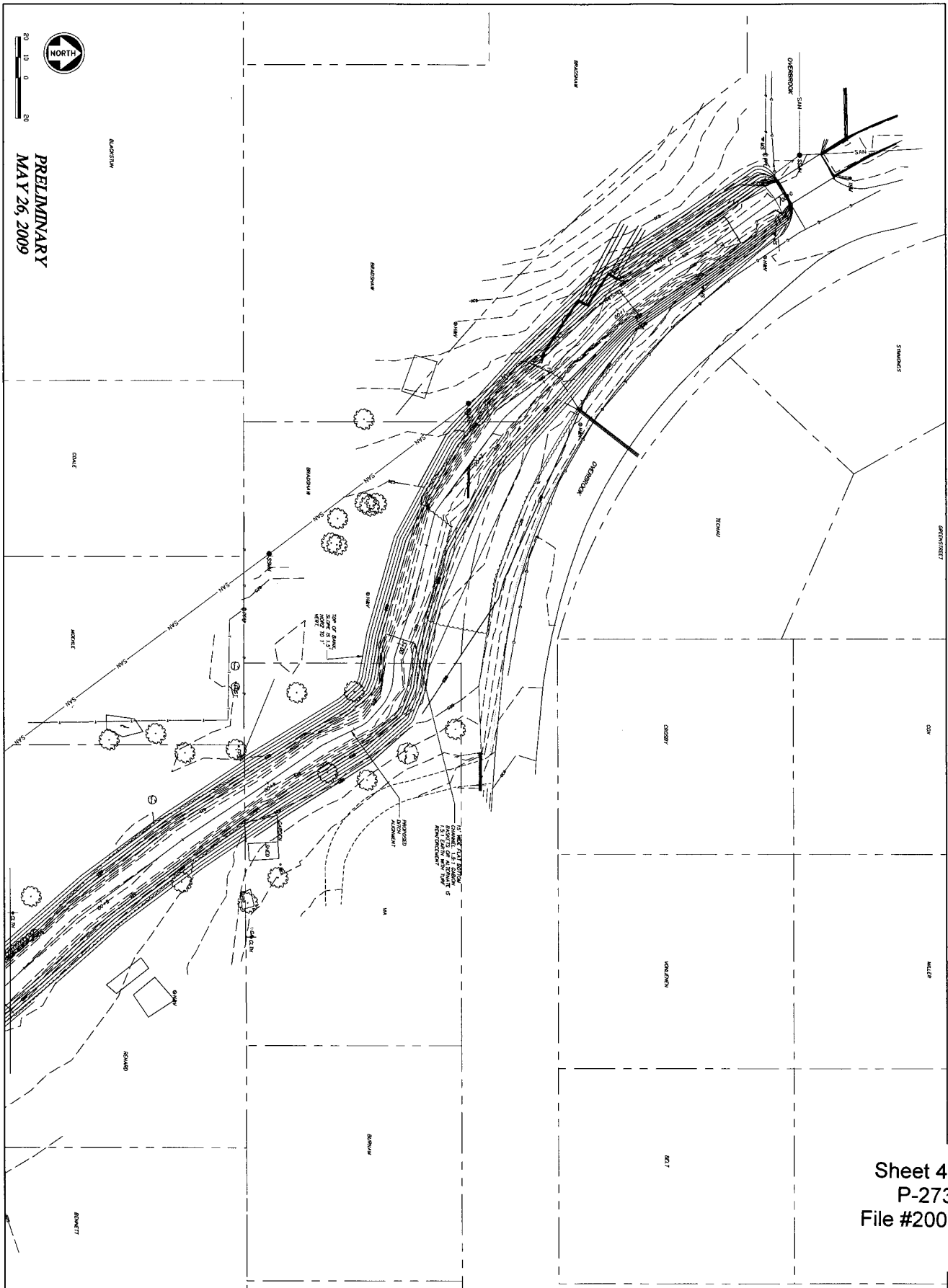
PARCEL NUMBER: 2.01  
INTERSTATE HIGHWAY: 1  
U.S. HIGHWAY: 1  
STATE HIGHWAY: 1  
CITY STREET: MAIN STREET  
LAND HOOK: 1

GIS METADATA OVERVIEW  
GRID COORDINATE SYSTEM: MISSOURI STATE PLANE  
SPCS ZONE IDENTIFIER: MISSOURI, CENTRAL  
DATUM: NAD83  
UNITS: US SURVEY FEET  
PHOTOGRAPHY CURRENCY: 2005

PROJECT: 201414-010.DWG	DATE: 6/30/2009
LAYOUT: OVERBROOK	BY: JRECE
XREF DWG1: NONE	XREF DWG2: NONE
XREF DWG3: NONE	XREF DWG4: NONE



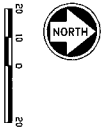
PRELIMINARY  
MAY 26, 2009



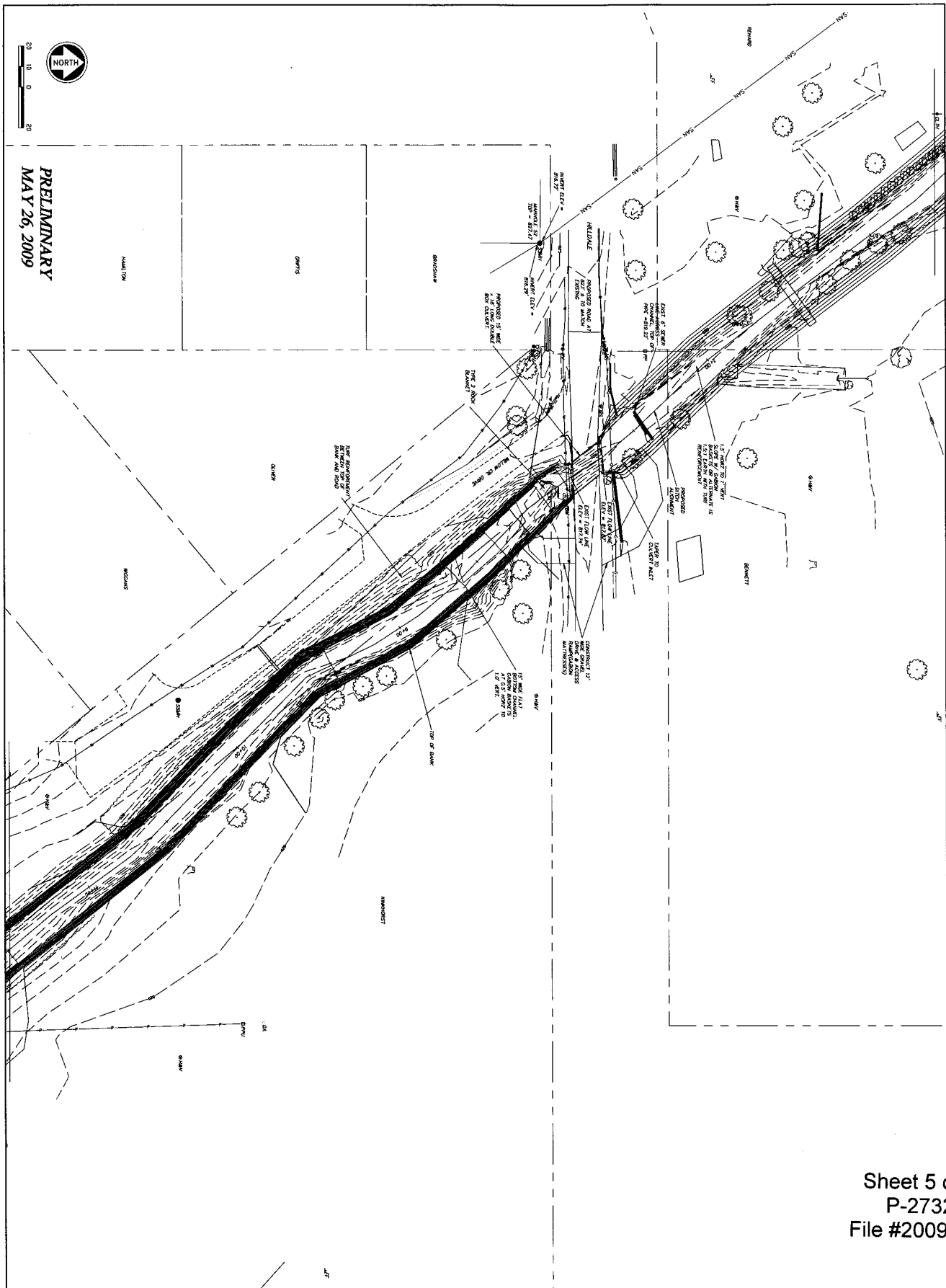
Sheet 4 of 6  
P-2732  
File #2009-468

201414 SHEET NO. 1 OF 6	MACON STORM WATER MACON, MO	<b>SHAFER, KLINE &amp; WARREN, INC.</b> 107 Butler Street, Macon, MO 63552-1528 660/385-6441 FAX: 660/385-6614 OFFICE LOCATIONS: Chillicothe, MO    Iola, KS    Macon, MO Columbia, MO    Kansas City, MO    North Kansas City, MO Houston, TX    Lawrence, KS    Tulsa, OK	Designed By: DES Drawn By: JWR Checked By: DES Issue Date:	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISIONS</th> <th>BY</th> <th>APP'D</th> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>1</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	NO.	DATE	REVISIONS	BY	APP'D	5					4					3					2					1				
	NO.		DATE	REVISIONS	BY	APP'D																												
	5																																	
	4																																	
3																																		
2																																		
1																																		
SITE PLAN AT OVERBROOK		COPYRIGHT © 2009-SHAFER, KLINE & WARREN INC. MISSOURI CERTIFICATE OF AUTHORITY: F08139850																																
CHA. ENGINEERS ELECTRICAL ENGINEERS MECHANICAL ENGINEERS STRUCTURAL ENGINEERS LANDSCAPE ARCHITECTS LAND SURVEYORS LAND PLANNERS																																		


S:\PROJ\20144-010\DWG\201414 BASI.DWG	BY: JREKEL/SERVER 1 DATE: 5/30/2009
LAYOUT: HILDALE	XREF DWG1: NONE
XREF DWG2: NONE	XREF DWG3: NONE
XREF DWG4: NONE	



PRELIMINARY  
MAY 26, 2009

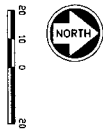


Sheet 5 of 6  
P-2732  
File #2009-468

2014 SHEET NO. 2 OF 6	MACON STORM WATER MACON, MO	 <b>SHAFER, KLINE &amp; WARREN, INC.</b> 107 Butler Street, Macon, MO 63552-1628 660/385-6441 FAX: 660/385-6614  OFFICE LOCATIONS: Chillicothe, MO Iola, KS Macon, MO Columbia, MO Kansas City, MO North Kansas City, MO Houston, TX Lenexa, KS Tulsa, OK  CIVIL ENGINEERS ELECTRICAL ENGINEERS MECHANICAL ENGINEERS STRUCTURAL ENGINEERS LANDSCAPE ARCHITECTS LAND PLANNERS	Designed By: <u>DES</u>	5				
	SITE PLAN AT HILDALE		Drawn By: <u>JMR</u>	4				
			Checked By: <u>DES</u>	3				
			Issue Date: _____	2				
				1				
			NO.	DATE	REVISIONS	BY	APP'D	
			COPYRIGHT © 2008-SHAFER, KLINE & WARREN INC.					



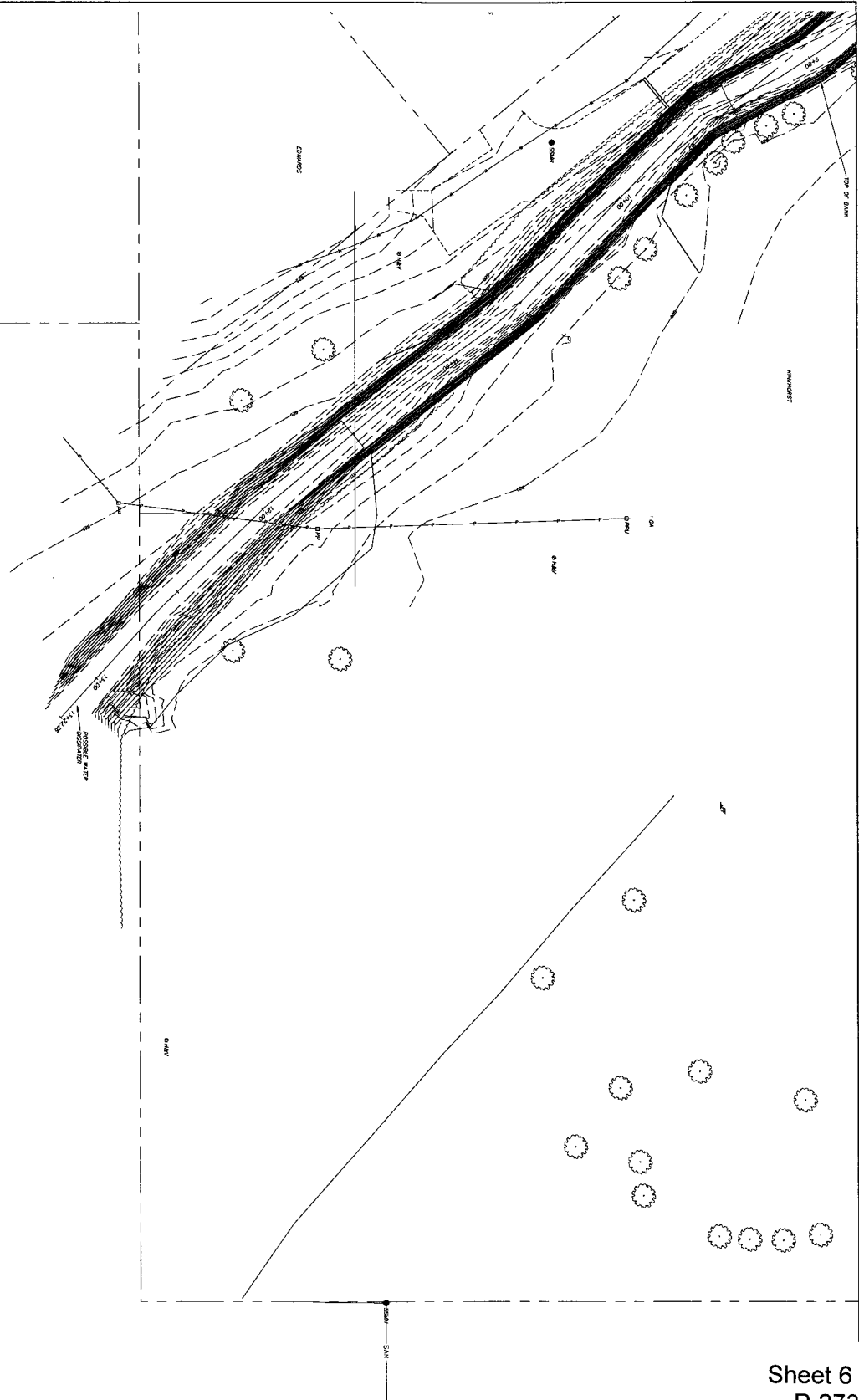
S:\PROJ\201414-010\DWG\201414 BASE.DWG	
LAYOUT: KIRKHOFFS	BY: JRECO/SERVER 1 DATE: 6/30/2009
XREF DWG1: NONE	XREF DWG2: NONE
XREF DWG3: NONE	XREF DWG4: NONE



PRELIMINARY  
MAY 26, 2009

LIVINGSTON

ROBERTS



Sheet 6 of 6  
P-2732  
File #2009-468

201414 SHEET NO. 3 OF 6	MACON STORM WATER MACON, MO	 <b>SHAFER, KLINE &amp; WARREN, INC.</b> 107 Butler Street, Macon, MO 63552-1628 660/385-6441 FAX: 660/385-6614  OFFICE LOCATIONS: Chillicothe, MO    Macon, MO Columbia, MO    Kansas City, MO Houston, TX    Leavenworth, KS Tulsa, OK  CIVIL ENGINEERS    GEOTECHNICAL ENGINEERS    MECHANICAL ENGINEERS    STRUCTURAL ENGINEERS    LANDSCAPE ARCHITECTS    LAND SURVEYORS    LAND PLANNERS	Designed By: <u>DES</u>	5
	SITE PLAN AT WILLOW CREEK DR.		Drawn By: <u>MR</u>	4
			Checked By: <u>DES</u>	3
			Issue Date: _____	2
				1
			NO.    DATE    REVISIONS    BY    APP'D	
			COPYRIGHT © 2009-SHAFER, KLINE & WARREN INC. MICROLIN CERTIFICATE OF AUTHORITY: F0013880	